



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2005 - 59

TEMPORARY HOUSING OF DISPLACED INMATES

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 48 KBB 2005, as amended by Proclamation No. 54 KBB 2005, and Proclamation No. 53 KBB 2005;

WHEREAS, Hurricanes Katrina and Rita struck the state of Louisiana causing severe flooding and damage to the southern part of the state, which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with private property and public facilities;

WHEREAS, as a result of emergency situations caused by Hurricanes Katrina and Rita, and the subsequent flooding that ensued, an excess of eight thousand (8,000) inmates were evacuated from parish prisons and/or jails from the parishes of Cameron, Calcasieu, Lafayette, Lafourche, Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Martin, St. Tammany and Vermilion as well as other parishes in the path of Hurricanes Katrina and Rita, and placed in facilities operated by the Department of Public Safety and Corrections, or in other parish prisons, federal penitentiaries, and privately owned detention facilities;

WHEREAS, as a result of the temporary evacuation of parish inmates to other facilities, the Department of Public Safety and Corrections, and other penal facilities not operated by the Department of Public Safety and Corrections, are now temporarily housing inmates sentenced with or without hard labor, convicted of traffic, municipal, or misdemeanors offenses, and pre-trial detainees;

WHEREAS, pursuant to Executive Order No. KBB 2005-27, issued on September 3, 2005, cabinet members, statewide elected officials, and state agency heads are authorized and empowered to use their best judgment in purchasing goods and services necessary to satisfy the situation caused by this emergency;

WHEREAS, the facilities now temporarily housing inmates evacuated from other areas are experiencing additional costs and expenses due to the transportation and evacuation of the affected parish inmates and due to the increased population and the special needs of those inmates, as well as the extraordinary medical care that has been required for some of the temporarily evacuated inmates; and

WHEREAS, R.S. 15:824(B) authorizes the payment of \$22.39 per day per inmate housed by a parish prison on behalf of the Department of Public Safety and Corrections;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: R.S. 15:824(C) is hereby suspended to the extent that the Department of Public Safety and Corrections has the authority to bring into their temporary, constructive custody, inmates evacuated from those parishes affected by Hurricanes Katrina and Rita, whether those inmates have been sentenced with or without hard labor, convicted of a traffic, municipal or misdemeanor offenses, or are awaiting trial as a pretrial detainee.

- SECTION 2:** Any extraordinary medical expenses incurred for the care of a parish inmate temporarily transferred from one of the affected parish prisons or any Department of Public Safety & Corrections inmates transferred to another parish prison, will be reimbursed in accordance with R.S. 15:824(B)(1)(b).
- SECTION 3:** The provisions of this Order shall not apply to Allen Correctional Center or Winn Correctional Center.
- SECTION 4:** All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the implementations the provisions of this Order.
- SECTION 5:** This Order is effective upon signature and shall apply retroactive from Monday, August 29, 2005 through April 1, 2006, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 12th day of October, 2005.

/S/ Kathleen Babineaux Blanco
GOVERNOR OF LOUISIANA

**ATTEST BY
THE GOVERNOR**

/S/ Al Ater
SECRETARY OF STATE